

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

FILED

JUL - 9 2008

Phil Lombardi, Clerk
U.S. DISTRICT COURT

PATRICIA A. HURST,
Plaintiff,

Case
Number:

vs.

NCO FINANCIAL SYSTEMS, INC.
a Pennsylvania Corporation, and
KENDALL MULLINGS,
Defendants,

08 CV - 395 GKF SAI

COMPLAINT EEOC

COMES NOW, Plaintiff, Patricia A. Hurst, by and through her attorney, O. Ronald McGee, and for her claim against the Defendants, NCO Financial Systems Inc., and Kendall Mullings, and states and alleges as follows:

1. This action is brought and jurisdiction lies pursuant to 42 U.S.C. §200e-5. Venue is proper in this District.
2. Plaintiff is a white female who resides at 13401 E. 79th St. North, Owasso, OK 74055.
3. The Defendant, NCO Financial Systems, Inc., is an employer, as defined in 42 U.S.C. §200e, and is located at 4608 S. Garnett Rd., Tulsa, OK, and incorporated in the state of Pennsylvania, 507 Prudential Rd, Horsham PA 19044.
- 3a. The Defendant Kendall Mullings is, or was, an employee and agent of NCO Financial Systems, Inc, 4608 S. Garnett Rd., Tulsa, OK.
- 3b. The Defendants, NCO Financial Systems, Inc., is an employer, as defined in 42 U.S.C. §200e, and is located at 507 Prudential Rd, Horsham PA 19044.

Fees Paid

4. On or about February 01, 2004 through April 6, 2007, Defendant, Kendall Mullings, an agent and employee of NCO Financial Systems, sexually harassed Plaintiff Patricia Hurst. Plaintiff was sexually harassed. Plaintiff complained to her employer and was later terminated by her employer.
5. Plaintiff timely filed a written complaint of discrimination with the Equal Employment Opportunity Commission (EEOC) and received a right to sue letter, a copy of which is attached. All conditions precedent to the institution of this lawsuit have been fulfilled.

WHEREFORE, Plaintiff prays for damages and punitive damages in excess of ten thousand dollars and any such relief as the Court would allow under Title VII of the Civil Rights Acts of 1964.



O. Ronald McGee, OBA #13633
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EEOC Form 161 (2/08)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: Patricia A. Hurst
13401 E 79th St. N
Owasso, OK 74055

From: Oklahoma City Area Office
215 Dean A. McGee Avenue
Suite 524
Oklahoma City, OK 73102

☐

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

564-2007-00371

Patricia D. Stewart,
Senior Federal Investigator

(405) 231-5853

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☒

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☐

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Donald T. Stevens,
Area Office Director

Enclosures(s)

4/9/08
(Date Mailed)

cc: Ned Dismuskes, Attorney
1325 E. 15th St., Suite 201
Tulsa, OK 74101

Kenneth C. Grace, Attorney for NCO
Sessions, Fishman, Nathan & Israel
Attorneys at Law
9009 Corporate Lake Dr.
Tampa, FL 33634

VERIFICATION

STATE OF OKLAHOMA)
) ss:
COUNTY OF TULSA)

I, Patricia Hunt, duly sworn upon oath deposes state that I am the
Petitioner above-named, that I have read the foregoing document and that the facts and
things contained therein are true and correct to the best of my knowledge and belief.

Patricia Hunt

Subscribed and sworn to before me this 12 day of June 2008.

[Signature]
Notary Public

(SEAL)

